

Honorable Judge John C. Coughenour

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHONG and MARILYN YIM, KELLY)
LYLES, EILEEN, LLC, and RENTAL) Civil Action No. 2:18-cv-00736-JCC
HOUSING ASSOCIATION OF)
WASHINGTON,)
Plaintiffs,) **STIPULATED MOTION AND**
v.) **[PROPOSED] ORDER TO ENTER**
THE CITY OF SEATTLE, a Washington) **REVISED CASE SCHEDULE**
Municipal corporation,)
Defendant.)
)

Plaintiffs Chong and MariLyn Yim, Kelly Lyles, Eileen, LLC, and the Rental Housing Association of Washington, along with Defendant City of Seattle, respectfully ask this Court to enter the Parties' proposed amendments to the current schedule for the pending cross motions for summary judgment.

I. INTRODUCTION

On July 20, 2018, this Court granted the Parties' stipulated motion to establish a summary judgment briefing schedule. Dkt. # 10. On August 23, 2018, this Court granted Pioneer Human Services and the Tenants Union of Washington leave to file an *amicus curiae* brief not to exceed

*STIPULATED MOTION AND [PROPOSED] ORDER
TO ENTER REVISED CASE SCHEDULE - 1
2:18-cv-00736-JCC*

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1 24 pages. Dkt. # 22 at 4. After those parties inquired about *amicus curiae* briefing deadlines, this
 2 Court ordered that *amicus curiae* briefs be filed by November 23, 2018. Dkt. # 25. Since then,
 3 several organizations have moved for leave to file *amicus curiae* briefs, *see* Dkt. # 26 and Dkt.
 4 # 28, and the Parties anticipate additional interested parties seeking leave to file. Both Parties
 5 therefore request that the Court adjust the current noting date and add a deadline for responses to
 6 *amicus curiae* briefs.

7 **II. STIPULATION**

8 The Parties agree that the noting date should be adjusted and a deadline established for
 9 Party responses to *amicus curiae* briefs.

10 The Parties jointly propose that the Court move the noting date for the cross motions for
 11 summary judgment from January 11, 2019, to January 25, 2019, to allow for responses to *amicus*
 12 *curiae* briefs.

13 The Parties propose that each Party be allowed to file a single consolidated response, not
 14 to exceed 30 pages, to *amicus curiae* briefs in support of the opposing side. The Parties agree that
 15 the deadline for consolidated response briefs should coincide with the noting date—January 25,
 16 2019. This will allow both Parties adequate time to complete summary judgment briefing before
 17 responding to *amici* without creating undue delay.

18 The updated summary judgment schedule would be as follows:

20 Plaintiffs' motion for summary judgment (filed)	September 28, 2018
21 City's combined opposition to Plaintiffs' motion for 22 summary judgment and cross motion for summary judgment (filed)	October 26, 2018
23 <i>Amicus curiae</i> briefs	November 23, 2018
25 Plaintiffs' combined reply in support of their summary 26 judgment motion and opposition to City's cross motion for summary judgment (not to exceed 30 pages)	December 7, 2018

1 2 3 4	City's reply in support of its cross motion for summary judgment (not to exceed 12 pages)	January 11, 2019
5	Parties' consolidated responses to <i>amicus curiae</i> briefs (not to exceed 30 pages each) and the noting date for both motions for summary judgment	January 25, 2019

6 STIPULATED November 1, 2018:

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16 Attorneys for Plaintiffs Yim, et al.

1 **III. [PROPOSED] ORDER**

2 Based on the parties' stipulation, the Court GRANTS the parties' stipulated motion and
 3 ORDERS as follows:

4 1. The clerk shall enter the following revised case schedule:

Plaintiffs' motion for summary judgment (filed)	September 28, 2018
City's combined opposition to Plaintiffs' motion for summary judgment and cross motion for summary judgment (filed)	October 26, 2018
<i>Amicus curiae</i> briefs	November 23, 2018
Plaintiffs' combined reply in support of their summary judgment motion and opposition to City's cross motion for summary judgment (not to exceed 30 pages)	December 7, 2018
City's reply in support of its cross motion for summary judgment (not to exceed 12 pages)	January 11, 2019
Parties' consolidated responses to <i>amicus curiae</i> briefs (not to exceed 30 pages each) and the noting date for both motions for summary judgment	January 25, 2019

17 2. The Parties shall renote the cross motions on the Court's motions calendar for
 18 January 25, 2019.

20 DATED this _____ day of _____, 2018.

22
 23 Hon. John C. Coughenour
 24 United States District Court Judge
 25 Western District of Washington

1
2 **CERTIFICATE OF SERVICE**
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4

I hereby certify that on November 1, 2018, I electronically filed the foregoing with the
Clerk of the Court using the CM/ECF system which will send notification to all counsel of record.

Dated: November 1, 2018.

5 s/ ETHAN W. BLEVINS
6 Ethan W. Blevins, WSBA # 48219

7 Attorney for Plaintiffs
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*STIPULATED MOTION AND [PROPOSED] ORDER
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